

1 KRISTA J. NIELSON, ESQ.
Nevada Bar No. 10698
2 **TIFFANY & BOSCO, P.A.**
3 10100 W. Charleston Blvd., Ste. 220
4 Las Vegas, Nevada 89135
(702) 258-8200
5 *Attorney for Defendant, Wilmington Savings Fund Society,*
6 *FSB not in its individual capacity, but solely as Owner Trustee*
of CSMC 2019-RPL11 Trust and Wells Fargo Bank, N.A.

7 TB# 19-75936

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 DEMETRIOS A. DALACAS; ELENE
14 MYLORDOS; WILMINGTON SAVINGS
15 FUND SOCIETY, FSB NOT IN ITS
16 INDIVIDUAL CAPACITY, BUT SOLELY AS
17 OWNER TRUSTEE OF CSMC 2019-RPL11
18 TRUST; REPUBLIC SILVER STATE
19 DISPOSAL, INC.; R & K DEVELOPMENT,
20 INC.; COPPER CREEK CONSTRUCTION,
INC.; LAS VEGAS VALLEY WATER
DISTRICT; CITY OF LAS VEGAS, NEVADA;
and CLARK COUNTY, NEVADA,

21 Defendants.
22

Case No.: 2:19-cv-01937-JCM-VCF

**STIPULATION AND ORDER TO DISMISS
WILMINGTON SAVINGS FUND
SOCIETY, FSB NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS OWNER
TRUSTEE OF CSMC 2019-RPL11 TRUST**

23 Plaintiff, UNITED STATES OF AMERICA (“Plaintiff”), and Defendant, WILMINGTON
24 SAVINGS FUND SOCIETY, FSB NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS
25 OWNER TRUSTEE OF CSMC 2019-RPL11 TRUST (“Wilmington”), by and through their
26 undersigned and respective counsel of record, hereby stipulate and agree as follows:

27 1. Wilmington previously claimed an interest in real property located at 10157 Queens
28 Church Avenue, Las Vegas, Nevada 89135; APN: 164-12-717-004 (“Subject Property”), pursuant to a

1 Deed of Trust recorded on September 4, 2003, in the Official Records of Clark County, Nevada as
2 Instrument No. 200309040001349 (“Wilmington Deed of Trust”).

3 2. Wilmington acquired its interest in said Deed of Trust pursuant to an Assignment of
4 Deed of Trust recorded on April 16, 2020, in the Official Records of Clark County, Nevada as
5 Instrument No. 20200416-0000267.

6 3. On November 30, 2020, this Court ordered that Wilmington be substituted as the real
7 party in interest in this matter in place of Wells Fargo Bank, N.A. *See* ECF No. 46.

8 4. On December 7, 2020, this Court entered an order granting Plaintiff and Wilmington’s
9 Stipulation as to priority, ordering that the Wilmington Deed of Trust had priority over Plaintiff’s tax
10 liens on the Subject Property. *See* ECF No. 51.

11 5. Subsequently, Plaintiff sold the Subject Property pursuant to this Court’s December 30,
12 2020, order, which, as a result, paid off the loan secured by the Wilmington Deed of Trust. *See* ECF
13 No. 58.

14 6. On March 17, 2021, Plaintiff filed a Second Amended Complaint that named
15 Wilmington as a Defendant. *See* ECF No. 60.

16 7. Thereafter, on April 13, 2021, Wilmington recorded a Full Reconveyance for the
17 Wilmington Deed of Trust, in the Official Records of the Clark County Recorder as Instrument No.
18 20210413-0002139 (“Reconveyance”).

19 **IT IS HEREBY STIPULATED AND AGREED** that, as the Wilmington Deed of Trust no
20 longer encumbers the Subject Property following the Reconveyance, Wilmington is hereby dismissed
21 from this action, with prejudice.

22 /././

23 /././

24 /././

25 /././

26 /././

27 /././


28 /././

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS FURTHER STIPULATED AND AGREED that each party shall bear its own fees and costs.

DATED this 29 th day of April, 2021.	DATED this 29 th day of April, 2021.
TIFFANY & BOSCO, P.A.	RICHARD E. ZUCKERMAN
	Principal Deputy Assistant Attorney General
<u>/s/ Krista J. Nielson, Esq.</u>	<u>/s/ Isaac Hoenig, Esq.</u>
Krista J. Nielson, Esq.	Boris Kukso, Esq.
10100 W. Charleston Blvd., Suite 220	Isaac Hoenig, Esq.
Las Vegas, Nevada 89135	P.O. Box 683, Ben Franklin Station
<i>Attorneys for Defendant</i>	Washington, D.C. 20044
	<i>Attorneys for Plaintiff</i>

IT IS SO ORDERED.


UNITED STATES DISTRICT COURT JUDGE
DATED: May 5, 2021